

Questions and Answers

Child Care Licensing Background Checks – Fingerprints

UPDATED: 11/15/2019

Please note: This document has been updated twice since the original version dated September 16, 2019 because additional questions have been asked.

1. I am currently a licensed child care provider, do I need to get fingerprinted immediately?

ANSWER: NO, Individuals currently licensed to provide child care or currently employed or currently residing in a licensed child care will receive additional information at a later date regarding the schedule and plan for completing the fingerprinting process before the deadline of October 1, 2021.

Effective October 1, 2019 and beyond individuals who wish to become newly licensed, new employees of a child care program, or new residents in a child care program, are required to complete the fingerprinting process before getting licensed, being employed, or residing in a child care program.

2. Are there additional places where an individual can go to complete the fingerprinting process?

ANSWER: In addition to the list of sites on page 2 of the instructions you received, a list of additional sites can be found by going to the Child Care Licensing Website and clicking on the document called “Public LiveScan Fingerprinting Sites.”

<http://dhhs.ne.gov/licensure/Pages/Child-Care-Licensing.aspx>

3. Does this law apply to persons who substitute or volunteer in a child care program?

ANSWER: A substitute is considered a child care staff member and must complete the fingerprinting process. A volunteer who cares for, supervises, or has unsupervised access to children in a child care program must complete the fingerprinting process. A parent volunteer does not need to complete the fingerprinting process.

4. Does this background check (fingerprinting) replace the current background checks which are required? Such as those obtained through local law enforcement or State Patrol or One Source? Why is it still required to complete other background checks if a national criminal history record check – fingerprinting is being done?

ANSWER: This requirement (fingerprinting) does NOT replace the background checks which are already required. It is an additional federal requirement. There are instances in which a national criminal history check – fingerprints will NOT capture

state specific convictions because the individual was not “fingerprinted” for the offense. This is the reason that all background checks are necessary.

5. Is there an additional fee for each state in which an individual discloses that s/he has resided?

ANSWER: The cost will vary from state-to-state for background checks.

6. Does requirement for fingerprinting apply to non-profit child care programs such as those attached to a 501C church? Is there a different fee schedule/cost for Non-Profit providers?

ANSWER: If the child care program is licensed, then yes, background checks-fingerprinting is required. It is up to the licensee to determine how the cost of fingerprinting will be handled. As mentioned in the letter dated September 11, 2019, it is up to new employees to pay the cost of fingerprinting, unless the licensee decides otherwise.

7. Is fingerprinting required for non-profit church groups that offer nursery and Sunday school on Sunday mornings and the staffing is volunteers?

ANSWER: These programs are not licensed child care providers, therefore, fingerprints are not required.

8. How long does it take to be notified whether or not the individual is eligible or ineligible for employment in a child care program once the individual has submitted their fingerprints?

ANSWER: The typical turnaround time is 7-10 business days, but can take up to 45 days.

9. May an employee begin work prior to receiving a response from DHHS Child Care Licensing that the employee has been found eligible for employment?

ANSWER: No, the employee may not begin work until the employer receives confirmation from DHHS Child Care Licensing that the employee is eligible for employment in a child care program.

10. If an individual has recently completed the fingerprinting process while working in a child care program, will the individual need to complete the process again if s/he begins working in another child care program?

ANSWER: No, Child Care Licensing will have the “eligible” or “ineligible” determination on file and it can be shared with the subsequent child care employer, as long as there is no longer than a 180 day gap in employment. The individual would

need to submit a new Application for a National Criminal History Record Check to Child Care Licensing.

- 11.** Does the finger printing process need to be completed right away when a current employee turns 18 years of age?

ANSWER: Yes, the individual must complete the fingerprinting process within 30 days of turning 18.

- 12.** We have several schools, and the military use Child Care Aware, which has required that providers and teachers are fingerprinted. If those teachers have already done so, would that sufficiently meet this requirement?

ANSWER: NO, The FBI has specific guidelines that prohibit National Criminal History Check – Fingerprint results to be shared for multiple purposes. Individuals will need to be fingerprinted specifically for the purpose of Child Care.

- 13.** Some child care providers use companies such as One Source, to do their background checks. If these companies can add National Criminal History Record Checks – Fingerprinting to their “package” of services, would this be acceptable?

ANSWER: NO, These companies cannot complete criminal history background checks that are as thorough as those completed through the Nebraska State Patrol. These companies do not have access to the same records as the Nebraska State Patrol.

- 14.** If I get my prints scanned at a Public LiveScan location OTHER THAN THOSE LISTED BELOW will further action be required on my part?

- Lincoln: Criminal Identification Division – 3800 NW 12th Street, Lincoln, NE 68521 – (402)479-4971
- Omaha: Troop A Headquarters – 4411 South 108th Street, Omaha, NE 68137 – (402)331-3333 (**Walk-ins only**)
- Norfolk: Troop B Headquarters – 1401 Eisenhower Ave, Norfolk, NE 68701 – (402)370-3456
- Grand Island: Troop C Headquarters – 3431 Old Potash Highway, Grand Island NE 68803 – (308)385-6000
- North Platte: Troop D Headquarters – 300 W. South River Road, North Platte NE 69101 – (308)535-8047
- Scotts Bluff: Troop E Headquarters – 4500 Avenue I, Scottsbluff, NE 69363 – (308)632-1211

ANSWER: If you complete the process at a location OTHER THAN THOSE LISTED ABOVE, you may be given a “finger print card” which you will need to submit to:

Nebraska State Patrol
Criminal Identification Division
3800 NW 12th Street, STE A
Lincoln, NE 68521

- 15.** If I am going from a Provisional to an Operating License, do I have to have the National Criminal History Record Check – Fingerprints done right away.

ANSWER: No. You would be considered to be currently licensed and will be sent additional information from Child Care Licensing about when to complete this process prior to the deadline of October 1, 2021.

16. If my Child Care License is on Probation, do I have to complete the National Criminal History Record Check – Fingerprints before I can get my Operating License back?

ANSWER: No. You would be considered to be currently licensed and will be sent additional information from Child Care Licensing about when to complete this process prior to the deadline of October 1, 2021.

17. Are practicum students or student teachers required to complete the fingerprinting process?

ANSWER: Yes, any individual who cares for, supervises, or has unsupervised access to children in a child care program must complete the fingerprinting process.

18. If an individual is not an American citizen, but eligible to work using a work visa, does this individual complete the fingerprinting process in the same manner?

ANSWER: Yes, the individual would complete the fingerprinting process in the same manner.

19. Does a certificated teacher working in an accredited/approved school have to complete the fingerprinting process?

ANSWER: Yes, a certificated teacher must complete the fingerprinting process.

20. Should I send in my application for fingerprinting before I submit my application to become a licensed child care provider?

ANSWER: No, we must receive an application to become a licensed child care provider before we can process an application for fingerprinting. We must have a child care provider, either licensed or in applicant status, to associate with each application for fingerprinting.

21. If I am not a licensed child care provider, nor am I applying to be a licensed child care provider, can I complete the fingerprinting process through DHHS Office of Children’s Services Licensing?

ANSWER: No, Nebraska law specifically allows only licensed child care providers, or licensed child care provider applicants, to complete the fingerprinting process through DHHS Office of Children’s Services Licensing.